

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
vs. )  
Plaintiff, ) 8:21CR61  
vs. )  
MOHAMMAD NAZMUL )  
HAQUE, RICK KELLEY, and ) ORDER  
JOEY MACKE, )  
Defendants. )

This matter is before the court on defendant, Rick Kelley's unopposed Motion to Continue Trial [70]. Plea negotiations are ongoing. Counsel for co-defendants Mohammad Nazmul Haque and Joey Macke do not object to the continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [70] is granted, as follows:

1. The jury trial, **for all three defendants**, now set for March 21, 2023, is continued to **June 20, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date** and **June 20, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny continuity of counsel and counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: February 15, 2023.**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**